



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: **EP-2**

September 16, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012-2756

Dear Supervisors:

**AMENDMENT TO THE LOS ANGELES COUNTY NONDISPOSAL FACILITY  
ELEMENT  
ALL SUPERVISORIAL DISTRICTS  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:**

1. Adopt the enclosed Resolution (Enclosure A) approving Amendment No. 2 (Enclosure B) to the Los Angeles County Nondisposal Facility Element (NDFE), to add the Athens Services Materials Recovery Facility/Transfer Station to the NDFE (Enclosure C).
2. Instruct the Interim Director of Public Works to transmit a copy of Amendment No. 2 to the NDFE to all cities in the County of Los Angeles within 30 days.
3. Instruct the Interim Director of Public Works to submit Amendment No. 2 to the NDFE to the California Integrated Waste Management Board for approval.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The California Integrated Waste Management Act of 1989 (Section 40000, et. seq., of the California Public Resources Code), as amended, requires the County, for its unincorporated areas, to prepare and adopt an NDFE which becomes part of the overall Countywide Integrated Waste Management Plan.

The NDFE must identify all existing, proposed new, and proposed expansions of existing nondisposal facilities which may be used or may be needed in conjunction with waste diversion activities identified in the County's Source Reduction and Recycling Element. Section 40151 of the Public Resources Code defines a nondisposal facility as any solid waste facility required to obtain a State Solid Waste Facility Permit, except a disposal facility or a transformation facility. The County's NDFE was adopted by your Board on April 7, 1994. The NDFE was subsequently approved by the California Integrated Waste Management Board on September 21, 1994. Amendment No. 1 to the NDFE was adopted by your Board in July 2002 to incorporate the Santa Clarita Composting Facility into the County NDFE.

Amendment No. 2 to the NDFE incorporates the existing Athens Services Materials Recovery Facility/Transfer Station into the NDFE (Table A-7 to Attachment A of the NDFE). The facility is permitted to receive up to 1,920 tons of solid waste per day and it currently achieves a diversion rate of approximately 19 percent.

By recovering recyclable materials, the Athens Services Materials Recovery Facility/Transfer Station assists jurisdictions in the County of Los Angeles, including the unincorporated areas, in achieving the waste diversion mandates of the Act as well as reducing the need for landfilling and incineration.

The operator of the subject facility is currently proposing an expansion of the facility and an increase in its daily tonnage limit from 1,920 tons to 8,500 tons. Conditional Use Permit Case No. 97-060-(1) for the proposed expansion is under review by the Los Angeles County Regional Planning Commission. The proposed expansion is not included in Amendment No. 2 to the NDFE. This amendment is not an endorsement of the expansion request under review by the Planning Commission.

## **Implementation of Strategic Plan Goals**

This action is consistent with the Strategic Plan Goal of Service Excellence since it will provide for the recovery of recyclable materials from the unincorporated areas of the County of Los Angeles and nearby cities while assisting the County and the cities in

meeting the waste diversion mandates of State law and reducing the need for landfilling and incineration.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A public hearing to consider an NDFE amendment is required by Title 14 of the California Code of Regulations (CCR), Section 18766. Section 18766 also requires that notice of the hearing be published in a newspaper of general circulation at least three days in advance of the scheduled hearing date. Adoption of a resolution is required by Section 18766 to amend the NDFE. The enclosed Notice of Hearing (Enclosure D) and Resolution (Enclosure A) relating to this matter have been reviewed and approved as to form by County Counsel.

An NDFE amendment must be submitted to the local task force for review and comment at least 90 days prior to the public hearing, pursuant to Title 14, CCR Section 18765(b). The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force reviewed and approved the enclosed Amendment No. 2 to the NDFE at its meeting of February 19, 2004.

### **ENVIRONMENTAL DOCUMENTATION**

As provided by Section 41735(a) of the Public Resources Code, the amendment to the NDFE is not subject to environmental review under the California Environmental Quality Act.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The incorporation of additional nondisposal facilities into the NDFE and their operation assist jurisdictions in the County of Los Angeles, including the unincorporated areas, in achieving the waste diversion mandates of the Act. Failure to comply with the Act may subject a city or county with penalties up to \$10,000 per day.

The Honorable Board of Supervisors  
September 16, 2004  
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**CONCLUSION**

It is requested that two approved copies of this letter be returned to this Department.

Respectfully submitted,

DONALD L. WOLFE  
Interim Director of Public Works

PH:my  
P:\sec\ndfearmnd

Enc.

cc: Auditor Controller  
Chief Administrative Office  
County Counsel

**ENCLOSURE A**

**RESOLUTION APPROVING AMENDMENT NO. 2 TO THE LOS ANGELES COUNTY  
NONDISPOSAL FACILITY ELEMENT**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF  
LOS ANGELES, CALIFORNIA, ADOPTING AMENDMENT NO. 2  
TO THE LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT**

**WHEREAS**, the California Integrated Waste Management Act of 1989 ("Act"), as amended, requires that each city and county in California adopt a Nondisposal Facility Element which becomes a part of the Countywide Integrated Waste Management Plan; and

**WHEREAS**, the Los Angeles County Nondisposal Facility Element was adopted by the Board of Supervisors on April 7, 1994, and amended by the Board of Supervisors on July 23, 2002; and

**WHEREAS**, by recovering recyclable materials, the Athens Services Materials Recovery Facility/Transfer Station reduces the need for landfilling and incineration of solid waste and assists the unincorporated areas and other jurisdictions in the County of Los Angeles in achieving the waste diversion mandates of the Act; and

**WHEREAS**, Amendment No. 2 to the Nondisposal Facility Element has been prepared to add the Athens Services Materials Recovery Facility/Transfer Station to the Element at its currently permitted capacity of 1,920 tons per day of solid waste; and

**WHEREAS**, Amendment No. 2 to the Nondisposal Facility Element was submitted to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force for review and comment and said task force approved the proposed amendment on February 19, 2004, as required by Title 14, California Code of Regulations, Section 18766; and

**WHEREAS**, on \_\_\_\_\_, 2004, the Board of Supervisors held a duly advertised public hearing on Amendment No.2 to the Nondisposal Facility Element, and the opportunity was given to all persons present to speak; and

**WHEREAS**, pursuant to Section 41735(a) of the California Public Resources Code, Amendment No. 2 to the Nondisposal Facility Element is not subject to environmental review under the California Environmental Quality Act;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors of the County of Los Angeles has reviewed and hereby adopts Amendment No.2, dated September 2004, to the Los Angeles County Nondisposal Facility Element of the Countywide Integrated Waste Management Plan, to add Table A-7 to Attachment A of the Nondisposal Facility Element.

The foregoing Resolution was on the \_\_\_ day of \_\_\_\_\_, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

Office of County Counsel

By \_\_\_\_\_  
Deputy

**ENCLOSURE B**

**AMENDMENT NO. 2 TO THE LOS ANGELES COUNTY  
NONDISPOSAL FACILITY ELEMENT**

**AMENDMENT NO. 2  
TO THE  
LOS ANGELES COUNTY  
NONDISPOSAL FACILITY ELEMENT**

**County of Los Angeles  
Department of Public Works  
Environmental Programs Division  
September 2004**

<p style="text-align: center;"><b>Table A-7</b>  <b>Los Angeles County Nondisposal Facility Element</b>  Department of Public Works  <b>Athens Services Transfer Station and Materials Recovery Facility</b>  <b>Fact Sheet</b></p>	
Type of Facility	Athens Services is an existing solid waste transfer station and materials recovery facility.
Facility Capacity	The facility is permitted to receive up to 1,920 tons of solid waste per day.
Diversion Rate or Expected Diversion Rate from the Total Amount of Waste Received	Approximately 19 percent of the total incoming waste, and at least 25 percent of the materials that are processed through the materials recovery facility
Participating Jurisdictions	The cities of Azusa, Baldwin Park, Covina, El Monte, Glendora, City of Industry, La Puente, Monrovia, Montebello, Monterey Park, Pasadena, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, West Covina, other cities in the general vicinity, and unincorporated County areas.
Facility Location	14048 East Valley Boulevard, unincorporated area—City of Industry, CA 91746
Description of General Area	The facility is located among industrial buildings, a railroad right of way, commercial centers, and a mixture of residential and light agricultural uses.
Other Comments	

**ENCLOSURE C**

**LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT  
DATED MARCH 1994 AS AMENDED ON JULY 23, 2002**

**ENCLOSURE D**

**NOTICE OF HEARING**

INSTRUCTION SHEET FOR PUBLISHING  
LEGAL ADVERTISEMENTS

TO: Executive Officer  
Board of Supervisors  
County of Los Angeles

FROM: Department of Public Works  
Environmental Programs Division

**NOTICE OF HEARING  
ON AMENDING THE LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT**

**Publishing**

In accordance with Title 14, Sections 18766(b)(1) and 18770(a) of the California Code of Regulations, the Executive Officer shall publish a notice of the filing of the final draft of the Los Angeles County Nondisposal Facility Element or any amendment thereto. The Notice of Public Hearing shall be published in a newspaper of general circulation printed and published within the County. The Notice of Hearing must be published at least three days in advance of the scheduled public hearing date, and the Department of Public Works is requesting the Executive Officer to publish this notice at least ten days in advance of the scheduled public hearing date.

Should there be any questions regarding this matter, please contact Mr. Martins Aiyetiwa, of this office, at (626) 458-3553, Monday through Thursday 7 a.m. to 5:30 p.m.

**NOTICE OF HEARING  
AMENDMENT TO THE LOS ANGELES COUNTY  
NONDISPOSAL FACILITY ELEMENT**

Notice is hereby given that the Director of Public Works has filed with the Board of Supervisors of the County of Los Angeles a proposed amendment to the Los Angeles County Nondisposal Facility Element.

The California Integrated Waste Management Act of 1989 (Assembly Bill 939), as amended requires each jurisdiction to prepare and adopt a Nondisposal Facility Element. The Nondisposal Facility Element must identify and describe all the existing, proposed new, and proposed expansions of existing nondisposal facilities that each jurisdiction intends to utilize for the implementation of the AB 939 mandates. As defined by State law, a nondisposal facility is any solid waste facility required to obtain a State Solid Waste Facility Permit, except a landfill or transformation (e.g., waste-to-energy) facility. The proposed Amendment No. 2 to the Nondisposal Facility Element consists of incorporating into the Nondisposal Facility Element the currently operating Athens Services Materials Recovery Facility and Transfer Station located at 14048 East Valley Boulevard in the County unincorporated area and the City of Industry.

Tuesday, \_\_\_\_\_, 2004, at 9:30 a.m., in Room 381 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, is the time and place which has been fixed by the Board of Supervisors to consider this matter. Any person wishing to be heard on this matter may appear before the Board of Supervisors and show cause why the proposal should not be adopted.

Copies of the proposed amendment to the Nondisposal Facility Element are available for public review at the County of Los Angeles Department of Public Works, Environmental Programs Division, 900 South Fremont Avenue, Annex Building, 3rd Floor Counter, Alhambra, California 91803, Monday through Thursday, 7 a.m. to 5:30 p.m.

For further information or should you have any questions regarding this matter, please contact Martins Aiyetiwa at (626) 458-3553, Monday through Thursday, 7 a.m. to 5:30 p.m.

Upon 72 hours notice, the County can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, documents are available at the County of Los Angeles Department of Public Works (see above address), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact the ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

**AVISO DE AUDIENCIA PUBLICA  
ACERCA DE LA ENMIENDA A THE LOS ANGELES COUNTY  
NONDISPOSAL FACILITY ELEMENT<sup>1</sup>**

Por el presente se avisa que el Director de Obras Publicas ha registrado con la Junta de Supervisores del Condado de Los Ángeles una propuesta enmienda al *Los Angeles County Nondisposal Facility Element*.

El Acta de Manejo Integrado de Desperdicios de California de 1989 (Integrated Waste Management Act of 1989) (Ley de la Asamblea 939) requiere que cada jurisdicción prepare y adopte un *Nondisposal Facility Element*<sup>1</sup> (*Elemento de instalaciones de materiales no desechables*). Este elemento debe identificar y describir instalaciones existentes, propuestas de nuevas instalaciones y propuestas de expansión de estas instalaciones que cada jurisdicción planea o intenta utilizar para la implementación de los mandatos de AB939. Como lo determina la ley estatal, una instalación de materiales no desechables es una instalación para manejo de desechos sólidos que necesita obtener un permiso del estado para operar, excepto los rellenos sanitarios o las plantas de transformación (por ejemplo una planta de desperdicio a energía). La propuesta Enmienda numero dos al *Nondisposal Facility Element* operando actualmente consiste en la incorporación al *Nondisposal Facility Element* la propuesta existente facilidad de recuperación de materiales y planta de transformación de Athens Services localizada en 14048 East Valley Boulevard en el area no-incorporada del Condado y City of Industry.

El martes, \_\_\_\_\_, 2004, a las 9:30 a.m. en el cuarto 381 del Kenneth Hahn Hall of Administration, 500 W Temple St, Los Angeles, California 90012, es la hora y el tiempo designado por la Junta de Supervisores para discutir este tema. Cualquier persona que desee ser escuchada acerca de este tema puede presentarse delante a la Junta de Supervisores y probar el porque esta propuesta no debe ser adoptada.

Copias de la propuesta enmienda al *Nondisposal Facility Element* están disponibles para la revisión publica en el Departamento de Obras Publicas del Condado de Los Angeles, División de Programas del Medio Ambiente en el 900 S Fremont Ave, (en el mostrador del tercer piso en el edificio anexo), Alhambra CA 91803. Lunes a Jueves de 7 a.m. a 5:30 p.m.

Para mas información o si tiene alguna pregunta acerca de este tema, puede llamar a Martins Aiyetiwa al (626) 458-3553, de lunes a viernes de 7 a.m. a 5:30 p.m.

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<sup>1</sup> El plan del Condado de Los Angeles que identifica las instalaciones de transferencia, reciclaje y compostaje (abono) que el condado utilizara para reducir en un 50 percent los desechos enviados a rellenos sanitarios.

Con 72 horas de anticipación, el Condado puede proveer información del programa en otros formatos o puede hacer ajustes para acomodar a las personas discapacitadas. Además, hay documentos disponibles en el Departamento de Obras Públicas del Condado de Los Angeles, que son accesibles a personas discapacitadas. Para solicitar adaptaciones o ajustes especiales para personas discapacitadas únicamente, o para más información acerca del *Americans with Disabilities Act(ADA)* por favor comuníquese con el coordinador de ADA al (626) 458-4081 o al TDD (626)282-7829, de lunes a jueves de las 7 a.m. a las 5:30 p.m.

**ENCLOSURE E**

**MINUTES OF BOARD OF SUPERVISORS ACTION OF APRIL 7, 1994 (SYNOPSIS 5)  
ADOPTING THE LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT  
DATED MARCH 1994**

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES. STATE OF CALIFORNIA



Larry J. Monteilh, Executive Officer  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

**Director of Public Works**

At its meeting held April 7, 1994, the Board took the following action:

**5**

At the time and place regularly set, notice having been duly given, the following item was called up:

**Hearing on final draft of the Los Angeles County Nondisposal Facility Element; and determination of exemption under the California Environmental Quality Act.**

**Mike Mohajer, representing the Department of Public Works, was duly sworn and testified. Opportunity was given for opponents and proponents to address the Board. No interested persons addressed the Board.**

**On motion Supervisor Dana, seconded by Supervisor Antonovich, unanimously carried (Supervisors Burke and Edelman being absent), the hearing was closed and the Board adopted the attached resolution relating to the Los Angeles County Nondisposal Facility Element.**

**In addition, the Director of Public Works was instructed to submit the March 1994 Nondisposal Facility Element to the California Integrated Waste Management Board and to the cities within Los Angeles County for approval, in accordance with requirements of State law.**

**040794.05**

**Attachment**

**Copies distributed:**

**Each Supervisor  
County Counsel  
Auditor-Controller  
Chief Engineer and General Manager,  
County Sanitation Districts**

RESOLUTION \_\_\_\_\_

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, CALIFORNIA, ADOPTING THE LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT, DATED MARCH 1994**

WHEREAS, the California Integrated Waste Management Act of 1989, as amended, requires that each county in California adopt a Nondisposal Facility Element (NDFE) which will become a part of the Countywide Integrated Waste Management Plan; and

WHEREAS, the draft of the Los Angeles County NDFE was distributed in compliance with regulatory requirements; and

WHEREAS, said draft NDFE was submitted to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force for review and comments; and

WHEREAS, on April 7, 1994, the Board of Supervisors held a duly advertised Public Hearing on the County's Final Draft NDFE, dated March 1994, and opportunity was given to all persons present to speak; and

WHEREAS, pursuant to Section 41735(a) of the California Public Resources Code, the adoption of the County's NDFE is not subject to environmental review under the California Environmental Quality Act.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Los Angeles has reviewed the March 1994 draft NDFE and hereby adopts the Los Angeles County Nondisposal Facility Element, dated March 1994.

The foregoing Resolution was on the 7th day of April, 1994, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies and authorities, for which said Board so acts.

LARRY J. MONTEILH Executive Officer-  
Clerk of the Board of Supervisors of  
the County of Los Angeles

By: *Sydney J. [Signature]*

APPROVED AS TO FORM:

DE WITT W. CLINTON  
County Counsel

By: *[Signature]*  
Deputy



TB:jk  
NDFE\RES